IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

TUESDAY, THE 27TH FEBRUARY 2007 / 8TH PHALGUNA 1928

Crl.Rev.Pet.No. 518 of 2000-A

CRA.90/1996 of SESSIONS COURT, KOZHIKOE
CC.493/1999 of JUDL.MAGISTRATE OF FIRST CLASS, PERAMBRA

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REVN. PETITIONER:

E.A. CHACKO, CLERK, GOVERNMENT HIGH SCHOOL,
CHERUVANNUR, KOZHIKODE DISTRICT.

BY ADV. SRI.P.SANJAY

RESPONDENTS:

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1. CHERUPILLADU VARKEY,
S/O. VRKEY, CHERUPILLADU VEEDU
CHAKKITTAPARA AMSOM,
PILLAPERUVANNAM DESOM,
KOYILANDI TLAUK P.O.

2. STSATE OF KERALA REPRESENTED BY THEre
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

R2 BY PUBLIC PROSECUTOR MR. BREEZE M.S.

R1 BY ADV. SRI.B.G.BIDAN CHANDRAN

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 27/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER ON CRL.M.P.NO. 2866/2000 IN CRL. R.P. NO. 518 OF 2000

DISMISSED.

27-2-2007 SD/-K.R.UDAYABHANU, JUDGE

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P.S.TO JUDGE

K.R. UDAYABHANU, J.

CRL.R.P.NO.518 of 2000

DATED THIS THE 27TH DAY OF FEBRUARY 2007

ORDER

The revision petitioner stands convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced, as modified by the appellate court, to undergo simple imprisonment for one month and to pay a compensation of Rs.15,000/- under Section 357(3)Cr.P.C. The revision petitioner has only sought for modification of the sentence.

In the circumstances, the sentence is modified to imprisonment till the rising of the court and to pay a compensation of Rs.25,000/-, i.e.the cheque amount, under Section 357(3)Cr.P.C. and in default to undergo simple imprisonment for one month. The revision petitioner is granted two months time from today onwards to pay the amount of compensation less the amount if any already deposited. The revision petitioner shall appear before the Judicial First Class Magistrate, Perambra on 21-5-2007 to receive sentence. The Crl.revision petition is disposed of accordingly.

K.R.UDAYABHANU, JUDGE

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K.R.UDAYABHANU, J

CRL.R.P.NO.518 OF 2000

ORDER

27-2-2007